

**REMARKS**

Upon entry of this amendment, claims 1-3 are all the claims pending in the application.

**I. Preliminary Matters**

**A. Drawings**

The Examiner failed to acknowledge that the drawings filed on August 10, 2000 are accepted. Therefore, Applicant respectfully requests the Examiner to check the appropriate box on the Form PTO-326 indicating that the drawings are accepted.

**B. Information Disclosure Statement**

The Examiner has not initialed and returned the PTO-1449 Form filed with the Information Disclosure Statement on July 23, 2003. Applicant respectfully requests that the Examiner initial the reference (if not already initialed) listed on the PTO-1449 Form and submit the initialed PTO-1449 Form in the next Office paper.

**C. Priority Documents**

Furthermore, The Examiner failed to acknowledge the claim for priority under 35 U.S.C. §119(e), as well as the receipt of the translated priority documents filed on August 10, 2000. Therefore, Applicant respectfully requests the Examiner to check the appropriate boxes on the Form PTO-326 indicating that the claim for priority has been acknowledged and that the priority document has been received.

## II. Prior Art Rejections

Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gupta et al. (U.S. Patent No. 5,996,083) (hereinafter "Gupta") in view of Hironari et al. (Japanese Patent No. 05-296098) (hereinafter "Hironari"). Applicant respectfully traverses this rejection on the following basis.

Of these claims only claim 1 is independent. Claim 1 requires:

a central processing unit for executing an interruption processing in response to the interruption request signal output from said pulse dividing section so as to control the output of said pulse generating section.

The Examiner asserts that claim 1 is directed to a programmable controller with a central processing unit executing interruption processing so as to control the output of said pulse generating section and is obvious in view of Gupta and Hironari. The Examiner asserts that Hironari's central processing unit is equivalent to the central processing unit as set forth in claim 1 and that Gupta teaches all other limitations of the independent claim 1 (see page 2 of the Office Action). Applicant respectfully disagrees with the Examiner. Applicant has carefully studied Hironari's discussion of the central processing unit, which is not similar to the central processing unit as set forth in claim 1.

As acknowledged by the Examiner, Gupta fails to teach or suggest the central processing unit as set forth in claim 1 (see page 2 of the Office Action). Hironari teaches an internal combustion engine controller. The controller 1 has a dividing circuit 5, which divides the pulse, a CPU 3 which receives the divided pulse and a PTM 9 which receives the undivided pulse as its input and counts the pulse on the basis of a count value sent from the CPU 3. As a result, the

renewal of the count number is performed with the timing of the divided pulse so that the precision control can be easily realized (*see* Abstract).

However, Hironari fails to teach or suggest the CPU controlling the pulse generating section in response to a request signal. In Hironari, the PTM 9 (a partial function of the count means) receives the undivided pulses and *counts but does not generate pulses* based on the count value sent from the CPU. In short, Hironari fails to teach or suggest a CPU controlling a pulse generating unit; instead PTM 9, a counter, is controlled. In addition, Hironari's CPU 3 *receives the divided pulses and not the claimed request signal* obtained by dividing a pulse output at a *ratio*. In short, Hironari does not teach or suggest a CPU controlling the pulse generating section in response to a request signal.

Thus, there is no teaching nor any suggestion in Gupta or Hironari, taken singly or together, of a central processing unit for executing interruption processing in response to the interruption request signal output from the dividing section so as to control the output of the pulse generating section. For at least these reasons, Applicant respectfully submits that an artisan of ordinary skill would not have (and could not have) produced the subject matter of independent claim 1 from the teachings of Gupta and Hironari, taken alone or in any conceivable combination. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection of independent claim 1. Also, Applicant respectfully submits that claims 2-3 are allowable at least by virtue of their dependency on claim 1.

Request for Reconsideration Under 37 C.F.R. 1.116  
U.S. Application No.: 09/635,561

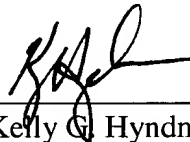
Attorney Docket No.: Q60393

### III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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